

CITY COUNCIL AGENDA TOPIC

Resolution determining that an existing sewer easement located at 21 103rd Ave NE is surplus to the city's needs and no longer required for providing continued sewer service; and setting a time and place for a public hearing before the City of Bellevue Hearing Examiner.

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Utilities Department

EXECUTIVE SUMMARY**ACTION**

Consider adopting the Resolution determining that an existing sewer easement is surplus to city's need and no longer required for continued sewer service, as it will be replaced by a new easement aligned with the planned development of an 8-story residential project. Utilities Staff confirm that realignment is satisfactory for service to this property. If City Council adopts the Resolution, a public hearing will be held before the City of Bellevue Hearing Examiner on August 4.

RECOMMENDATION

Move to adopt Resolution No. 10652

BACKGROUND/ANALYSIS

This action involves declaring an existing sanitary sewer easement located at 21 103rd Ave NE as surplus. The sewer easement was granted to the city by Vander Hoek Corporation on February 1, 2000, under King County Auditor's file No. 20000814001202.

The subject property is currently owned by Vander Hoek Corporation. The proposed project consists of the construction of an 8-story residential building consisting of 175 market rate middle to high income residential units, 10,636 SF commercial space and 154 below grade parking stalls. As a part of development, the property owner has requested that the city release the existing sewer easement. The existing sanitary sewer line, which serves only the subject parcel, remains in use at this time. A new sewer easement will be recorded during the construction process to reflect the revised alignment. Utilities Department staff have reviewed this request and determined that the identified sewer line is no longer needed, as it will be replaced by a new sewer line and easement granted to the city.

As such, staff recommend approval of the release of this easement. This release will be executed and recorded following construction of the developer's improvements.

If the council adopts the recommended resolution declaring the easement surplus, a public hearing

will be held before the City of Bellevue Hearing Examiner on August 4. The public hearing begins at 10:00 a.m. in Room 1E-113 at Bellevue City Hall, 450 110th Avenue NE, Bellevue WA 98004 and will be conducted in a hybrid manner with options to attend both in-person and virtually via Zoom Webinar. Details on how to view the meeting and provide oral testimony at the public hearing can be found at <https://bellevuewa.gov/city-government/departments/city-clerks-office/hearing-examiners-office/he-upcoming-hearings>.

At this hearing, the public will have an opportunity to comment on the proposed easement release. Following the hearing, staff will return on September 15 and request council action on a proposed resolution authorizing the release of the easement.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.070 and RCW 35.94.040, the city can dispose of Utilities-owned real property interests, including the release of permanent easements, determining by resolution that the property in question is surplus to the city's needs and is not required for providing continued public utility service. Under the same provisions, at a separate City Council meeting, the council can approve the release following a public hearing.

City Procedure

The city has a procedure in place for releasing or modifying easements. An easement may be released, upon approval by the council, if the easement is no longer needed, there is no foreseeable future need for the easement and, if applicable, the city has obtained any needed replacement easements.

Fiscal Impact

Declaring this easement surplus has no fiscal impact to the city because this easement was provided to the city at no cost. Per the guidance laid out in the city's Easement Release Procedure, no compensation is required for the release of an easement that was obtained at no cost. Additionally, the city will be granted a replacement easement acceptable to the Utilities Department in exchange for the recommended full release.

OPTIONS

1. Adopt the Resolution determining that an existing sewer easement located at 21 103rd Ave NE is surplus to the city's needs and no longer required for providing continued sewer service; and setting a time and place for a public hearing before the City of Bellevue Hearing Examiner.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Resolution No. 10652

AVAILABLE IN COUNCIL LIBRARY

Copy of the proposed release of easement